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United States of America

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
RAFAEL OMERO PLATA GUERRERO,  
  
Defendant.

Case No: 1:24-CR-00246-KES-BAM

STIPULATION TO CONTINUE STATUS  
CONFERENCE AND EXCLUDE TIME UNDER  
SPEEDY TRIAL ACT; ORDER

THE PARTIES HEREBY STIPULATE, through their respective attorneys of record, Assistant United States Attorney Brittany M. Gunter, counsel for the government, and Reed Grantham, counsel for Rafael Omero Plata Guerrero (“the defendant”), that this action’s **Wednesday, December 11, 2024, status conference be continued to Wednesday, March 12, 2025, at 1:00 p.m.** The parties likewise ask the court to endorse this stipulation by way of formal order.

The parties base this stipulation on good cause, as follows:

1. The grand jury returned an indictment regarding this matter on October 10, 2024. ECF 9.

The government prepared and delivered an initial set of discovery to defense counsel within the time limits set forth by the Local Rules.

2. The government provided the defense with supplemental discovery on October 7 and October 21, 2024. The defense is and has been reviewing discovery thus far provided.
3. The government currently believes all discovery has been produced pursuant to Rule 16 or otherwise made available for the defense's inspection and review pursuant to the Adam Walsh Act. The government will nevertheless follow up with law enforcement to determine the extent supplemental discovery exists. If the government identifies additional information that should be produced as supplemental discovery, the government will promptly produce it to defense counsel in accord with Rule 16.
4. As defense counsel completes his analysis of the discovery produced in this case, counsel for the government will work with the defense and the HSI Bakersfield office to ensure that the defense is able to also timely review, upon its request, any electronic evidence in this case in accord with relevant provisions of the Adam Walsh Act.
5. Defense counsel requires more time to complete his review of the discovery, complete any additional investigation, discuss the case with the defendant, and consult with experts.
6. By the time of the continued status conference and as all discovery is timely reviewed, the parties further intend to explore the extent this case can be resolved prior to trial.
7. Defense counsel believes that failure to grant the above-requested continuance would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.
8. The government does not object to the continuance.
9. The parties therefore stipulate that the period of time from December 11, 2024, through March 12, 2025, is excludable pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(i) and (iv) because it results from a continuance granted by the Court at the parties' request on the basis of the Court's finding that the ends of justice served by taking

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1 such action outweigh the best interest of the public and the defendant in a speedy trial.

2 IT IS SO STIPULATED.

3 Dated: December 3, 2024

PHILLIP A. TALBERT  
United States Attorney

5 By: /s/ BRITTANY M. GUNTER  
BRITTANY M. GUNTER  
Assistant United States Attorney

8 Dated: December 3, 2024

By: /s/ REED GRANTHAM  
REED GRANTHAM  
Attorney for Defendant  
Rafael Omero Plata Guerrero

11 **ORDER**

12 IT IS ORDERED that the status conference currently set for December 11, 2024, at 1:00 pm is  
13 continued until **March 12, 2025, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe.**

14 IT IS FURTHER ORDERED THAT the period of time from December 11, 2024, through March  
15 12, 2025, is excluded pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(i) and (iv) because it  
16 results from a continuance granted by the Court at the parties' request on the basis of the Court's finding  
17 that the ends of justice served by taking such action outweigh the best interest of the public and the  
18 defendant in a speedy trial.

20 IT IS SO ORDERED.

22 Dated: **December 3, 2024**

/s/ *Barbara A. McAuliffe*  
UNITED STATES MAGISTRATE JUDGE